

HAMPDEN TOWN COUNCIL
HAMPDEN MUNICIPAL BUILDING
AGENDA

Monday

January 5, 2009

7:00 P.M.

Swearing in of District I, II, III, IV Councilors

Election of Mayor, Deputy Mayor

A. CONSENT AGENDA

1. SIGNATURES

a. Treasurer's Warrants

2. SECRETARY'S REPORTS

- a. July 7, 2008
- b. July 21, 2008
- c. August 11, 2008

3. TREASURER'S REPORT

4. COMMUNICATIONS

a. Hampden Business Association Meeting Notice – 1/6/09

5. REPORTS

- a. Pine Tree Landfill – Host Community Benefit November 2008
- b. Pine Tree Landfill – Odor Complaint Report November 2008
- c. Pine Tree Landfill – Special Waste Activity Report November 2008

B. PUBLIC COMMENTS

C. POLICY AGENDA

NOTE: The Council will take a 5-minute recess at 8:00 pm.

Monday

January 5, 2009

7:00 P.M.

1. PUBLIC HEARINGS

- a. Mobile Home Park Ordinance Amendments, Article 2.4, 2.6, 8.2, 8.3.6.5, 8.3.18

2. NOMINATIONS – APPOINTMENTS – ELECTIONS

3. UNFINISHED BUSINESS

- a. Set Meeting Date – Goals & Objectives Session

4. NEW BUSINESS

- a. Tree City USA – Sign Purchase Request
- b. Bangor Target Area Development Corp. – Designated Town Member

D. COMMITTEE REPORTS

E. MANAGER'S REPORT

F. COUNCILORS' COMMENTS

G. ADJOURNMENT

A-2-a

TOWN COUNCIL MINUTES

JULY 7, 2008

The regularly scheduled meeting of the Hampden Town Council was held on Monday, July 7, 2008. The meeting was held at the municipal building council chambers and was called to order by Mayor Briggs at 7:03 p.m.

Attendance: **Councilors:** Mayor Rick Briggs, Andrew Colford, Matthew Arnett, Andre Cushing, Shannon Cox and Edward Murphy. Thomas Brann was excused.

Town Manager: Susan Lessard

Town Counsel: Thomas Russell

Department Heads/Staff: Public Works Director Chip Swan and Pool Director Darcey Peakall

Mayor Briggs noted that Councilor Brann was unable to attend the meeting and had requested an excused absence. Motion by Councilor Colford, seconded by Councilor Murphy to excuse Councilor Brann – unanimous vote in favor.

A. CONSENT AGENDA

Treasurer's Warrants were circulated for approval and signatures of the Finance Committee. Councilor Cushing requested that Item A.3.a. be set aside. Motion by Councilor Arnett, seconded by Councilor Murphy to accept the balance of the Consent Agenda – unanimous vote in favor.

A.3.a. DOT/TOWN – TRANSIT BONUS

Councilor Cushing asked Manager Lessard to explain what the transit bonus is used for and why the state is unable to fund it at 100%. Manager Lessard explained that the transit bonus is applied for annually and is the difference between what the Town funded its community bus at in 2001 and what it funds it at in any given year. The transit bonus application is based on the increase from one to the other and Hampden has applied for that every year. Funds are disbursed based on the amount of money available and the total amount requested by municipalities. She noted that it has never been funded at 100%. The Town uses the money to help defray the cost of operating the bus system. Motion by Councilor Cushing, seconded by Councilor Arnett to accept Item A.3.a. – unanimous vote in favor.

B. PUBLIC COMMENTS

There were none.

C. POLICY AGENDA

1. PUBLIC HEARINGS

- a. APPLICATION FOR VICTUALER'S LICENSE RECEIVED FROM
MAC'S CONVENIENCE STORES, LLC d/b/a CIRCLE K #7057 at 63
MAIN ROAD NORTH

Mayor Briggs explained the procedure for the public hearing and then opened the hearing.

Proponents – None; Opponents – None; General Questions or Comments – None. The hearing was closed.

Motion by Councilor Cushing, seconded by Councilor Cox to approve the application – unanimous vote in favor.

2. NOMINATIONS-APPOINTMENTS-ELECTIONS

There were none.

3. UNFINISHED BUSINESS

- a. NATURAL GAS – NEXT STEPS

This item was moved to the top of the Policy Agenda. Nancy Hamilton of 3 Dewey Street urged the Council to continue looking into the possibility of bringing a natural gas line to Hampden. She noted that at the Public Works Committee meeting it appeared that everybody had a positive attitude toward bringing the gas line to Hampden. She has talked with Jerry Livengood, a representative from Bangor Gas and he feels that there is sufficient potential income in the town in order to recapture the cost of putting the line in. She said it is just a matter of him waiting to get the preliminary information and contact the property owners.

Councilor Murphy reported that the Public Works Committee did meet with Mr. Livengood and the committee is making a recommendation to the Council for further action. The end of the company's large supply line is in front of the Fairfield Inn on the Odlin Road and it would not be difficult to continue that into Hampden down the Route 202 corridor, but they feel conducting a survey would be helpful in determining where they would have potential customers.

There was discussion about the possibility of including a questionnaire, to be provided by Bangor Gas, on the Town's website or in the next newsletter inviting people to respond so the company would know how many interested parties there are in Hampden. Attorney Russell cautioned against the Town advocating for one kind of heating source over another. Manager Lessard offered that the Town could provide a mailing list to Bangor Gas if they want to mail a survey to potential customers.

Councilor Cushing suggested that perhaps it would be appropriate for Economic and Community Development Specialist Dean Bennett to contact Bangor Gas, as a business which has expressed an interest in potentially locating in Hampden, and offer the same level of service currently offered to other businesses. Following further discussion, Councilor Murphy moved and Councilor Colford seconded to refer this to Economic and Community Development Specialist Dean Bennett – unanimous vote in favor.

Councilor Cox suggested holding some sort of public forum in which all energy companies who wished to participate could inform the public of what types of energy are available.

b. LETTER OF CONFIRMATION – KR PROPERTIES, LLC

Attorney Russell explained that Section 3.9 of the Declaration of Covenants, Conditions and Restrictions for the Hampden Business and Commerce Park was intended to prohibit speculation of lots in the park and it has two purposes: 1) if a buyer does not develop a lot from one year from the date of purchase; or 2) if the buyer was ever going to sell the lot in its unimproved state, in either case the Town would have the option buy the lot back. Prior to sale, the owner is required to notify the Town of its intention to sell and the Town has 60 days to exercise its option, otherwise the owner is free to sell at any price. The attorney for KR Properties has expressed concern that this is a perpetual right-of-first-refusal. Attorney Russell and the buyer's attorney have determined that Section 3.9(c) which refers to the process by which the Town may exercise its right to repurchase is not a separate option to purchase. Attorney Russell informed the Council that the sale of Lots 13 and 15 closed last week and he prepared a letter for Manager Lessard's signature (copy attached) memorializing what the two attorneys had agreed the intent was. They also requested confirmation from the Council that it agrees with the interpretation and analysis of that provision and Attorney Russell advised that the Council confirm the letter.

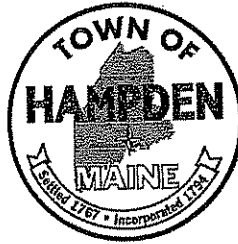
~~-----Motion by Councilor Murphy, seconded by Councilor Cushing to confirm the Manager's letter dated June 30, 2008 – unanimous vote in favor.~~

c. BID RESULTS – PUBLIC WORKS VEHICLES

Bids were opened on July 3rd for a zero-turn mower, a 2009 pickup truck and a 2009 GM 5500 truck. Public Works Director Chip Swan provided the bid results for the Council's consideration. He recommended acceptance of the low bid from Greenway Equipment in the amount of \$8,250.00 for the mower. Motion by Councilor Arnett, seconded by Councilor Cushing to accept the bid from Greenway Equipment in the amount of \$8,250.00 from the Buildings & Grounds reserve account.

Manager Lessard asked the Council for leeway in financing these purchases if that is more advantageous than fully paying for them at the time of purchase.

Town of Hampden
106 Western Avenue
Hampden, Maine 04444



Phone: (207) 862-3034
Fax: (207) 862-5067
email: h

m

C-3-6

June 30, 2008

John W. Austin
KR Properties, LLC
75 Postal Service Way
Scarborough, Maine 04070

Re: Lots 13 and 15 in the Hampden Business & Commerce Park (the "Park"), as shown on the Plans recorded in the Penobscot County Registry of Deeds (the "Registry") in Plan Book 2007, page 112

Dear Mr. Austin:

Reference is made to that certain Declaration of Covenants, Conditions and Restrictions for the Hampden Business and Commerce Park dated October 7, 2002 and recorded in the Registry in Book 8503, Page 78, as amended by those certain Certificate of Amendments dated January 23, 2008 and recorded in the Registry in Book 11274, Page 328 (collectively, the "Declaration").

On behalf of the Town of Hampden (and its successors and assigns, the "Town"), the Declarant under the Declaration, I hereby confirm and certify to KR Properties, LLC the following:

1. I am the duly appointed Town Manager for the Town and am authorized to execute and deliver these confirmations and certifications to you;
2. The provisions set forth in Section 3.9(c) of the Declaration refer to the process by which the Town may exercise its right to repurchase unimproved lots in the Park as established in Section 3.9(b) of the Declaration, and is not a separate option to purchase unimproved or improved lots in the Park; and
3. Construction of the paved parking lot on Lot 13 in accordance with the site plan approved by the Town is sufficient under the Declaration to constitute an "improvement", as defined in the Declaration, and the timely construction of said paved parking lot on Lot 13, with no other improvements on said Lot 13, within the time frames established in Sections 3.9(a) and (b) is sufficient to terminate the Declarant's repurchase options for Lot 13 set forth in Section 3.9.
4. The certifications I have made to you in items 2 and 3 above are subject to confirmation of the same by the Hampden Town Council, which is scheduled to meet on July 7, 2008..

The undersigned understands that KR Properties, LLC, in reliance on the confirmations and certifications set forth herein, is purchasing Lots 13 and 15 referenced above for purposes of developing them together, and will invest substantial funds in developing the lots.

Very truly yours,

Town Manager

Councilor Cushing offered a friendly amendment to the motion to add "to permit the Town Manager to consider alternate financing if it is more advantageous than an outright purchase." Councilor Arnett agreed to the amendment. Vote on the motion as amended was unanimously in favor.

Three bids were received for a 2009 ¾ ton pickup truck with plow and lift. Chip recommended acceptance of the bid from Quirk Ford in the amount of \$22,710.00, but requested an additional \$2,000.00 for accessories such as new tool boxes, radio and light bar. Motion by Councilor Cushing, seconded by Councilor Arnett to accept the bid from Quirk Ford in the amount of \$22,710 and to authorize an additional \$2,000 for accessories to be funded from the equipment reserve account; and to permit the Town Manager to consider alternate financing – unanimous vote in favor.

The third vehicle is a 2009 GM 5500 truck and three bids were received. Chip recommended acceptance of the bid from Varney GMC in the amount of \$90,665.00. Motion by Councilor Cushing, seconded by Councilor Cox to accept the bid from Varney GMC in the amount of \$90,665.00 and to authorize the Town Manager to explore financing if it is more beneficial for the Town – unanimous vote in favor.

d. BID RESULTS – POOL FLOORING

Bids for pool flooring were opened on June 30th and there was only one bidder. Pool Director Darcey Peakall informed the Council that she obtained four estimates for the flooring which were over the \$4,000 bid threshold so she was required to put the project out to bid. None of the companies who had provided estimates submitted a bid. The one bid received was from V.L. Walton's Flooring in the amount of \$6,239.59. Motion by Councilor Murphy, seconded by Councilor Cushing to accept the bid from V.L. Walton's flooring in the amount of \$6,239.59 – unanimous vote in favor.

Manager Lessard suggested that perhaps it was time for the Finance Committee to look at raising the bid threshold. Councilor Cushing moved to direct the Finance Committee to review the ceiling on bids. Councilor Arnett seconded the motion with an amendment to reexamine the whole bid process. The amendment was accepted by Councilor Cushing and vote on the motion as amended was unanimously in favor.

Darcey also informed the Council that one of the boilers at the pool has failed inspection so she is running on only one boiler now. She has had two companies look at it and the estimates for repair exceed \$3,500 with no guarantee and replacement of the boiler would cost approximately \$14,500.00. She is working with Public Works Director Chip Swan in seeking alternate energy options.

e. FINANCE COMMITTEE RECOMMENDATIONS

In Finance Committee Chair Brann's absence, Manager Lessard reported that the Finance Committee met on June 26th and the minutes of that

meeting were included in the Council packet.

One item discussed was the itemized sewer capital proposals and the Committee is recommending that Phases 1 through 3 be included on the November ballot for bonding in the amount of \$1.85 million.

Motion by Councilor Cushing, seconded by Councilor Cox to accept the Finance Committee's recommendation related to Phase 1 through 3 of the sewer capital plan and include that in a bond issue in the amount of \$1.85 million for the November ballot. By roll call vote was 6-0 in favor.

The proposed ordinance authorizing appropriation and borrowing of funds to finance the proposed project will be on the next Council agenda for introduction for public hearing.

There was also a recommendation from the Finance Committee to allow the Manager to move an additional step (5%) on the wage scale and to allow the annual \$3,500 tuition/ education funding to remain in the budget for use either for courses or professional development.

Motion by Councilor Cushing, seconded by Councilor Arnett to accept the recommendation of the Finance Committee in regards to the Manager's salary – unanimous vote in favor.

4. NEW BUSINESS

- a. APPLICATION FOR RENEWAL OF OUTDOOR WOOD-BURNING FURNACE LICENSE RECEIVED FROM RODNEY STANHOPE AT 540 WESTERN AVENUE

Motion by Councilor Murphy, seconded by Councilor Colford to approve the application – unanimous vote in favor.

- b. TIME WARNER CABLE – INTEREST DIVESTITURE

Manager Lessard explained that Time Warner, Inc. is divesting itself of its interest in Time Warner Cable, Inc., but it does not materially change the services provided to Hampden customers. The company included a sample resolution in the event the Council wished to formally approve the divestiture. Councilor Arnett noted that the Communications Committee sees no adverse impact but sees no particular reason to approve. This item was informational only and no action was taken.

D. COMMITTEE REPORTS

Councilor Colford reported that the Public Safety Committee will be meeting on July 16th at 7:00 pm to discuss the proposed new fire truck.

Councilor Arnett reported that the Communications Committee has reviewed the upcoming newsletter and it will be mailed out at the end of July. He asked all

Committees to notify the Clerk when a meeting is scheduled so that it may be posted on the Town's website in a timely manner.

Councilor Arnett further reported that the Charter & Ordinance Committee met jointly with the Planning Board's Ordinance Committee relative to building height limitations in the commercial zone. Discussions will continue on that issue.

Councilor Cushing reported that the Committee on Committees is in the process of reviewing the Council sub-committees and citizens advisory committees. The next meeting of that Committee will be at noon on July 17th.

Councilor Cushing further reported that the Council's Economic Development Committee will meet on July 17th at 7:00 pm.

Councilor Cox reported that the Community Services Committee will meet at 6:00 pm on July 15th.

E. MANAGER'S REPORT

A copy of the Manager's Report is attached.

MOU Progress: Together with Manager Lessard, Deputy Mayor Andrew Colford and Councilor Cox will attend the meeting with SAD #22 officials relative to the Memorandum of Understanding.

F. COUNCILOR'S COMMENTS

Councilor Cushing said it has been brought to his attention that there are some deep ruts in Locust Grove Cemetery and asked if Public Works could assess whether grading the center of the roads might be possible. He also asked if it would be possible to provide trash barrels at the cemetery. He thanked the Public Works Department for attending to the replacement of the aging stop signs, but noted that in some areas street signs are installed on top of stop signs and are difficult to see because of the positioning of the stop signs. Councilor Cushing also informed the Council that the Brewer City Council honored their commitment in the Hike for the Homeless challenge and wore their purple t-shirts at their meeting on June 24th.

Councilor Colford thanked all the Veterans for all they did in the July 4th parade.

G. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:30 p.m.



Denise Hodsdon
Town Clerk

MANAGER'S REPORT

July 7, 2008

Fiscal Year End – Fiscal year end went smoothly. We are now in the process of setting up the new year budget. We will have a commitment for Council consideration at the first meeting in August. Our audit is set up for the week of September 22nd.

MOU Progress – The School Superintendent, Assistant Superintendant and School Board Chair would like to set up a meeting with myself and the Mayor and another Council member to finalize the Memorandum of Understanding regarding the access off Route 9 for the new school. Dates of July 17th or 18th are available for them. Both 'sides' have offered wording for the agreement and the goal of this meeting is to find common ground with which to go forward.

Transfer Station Incident – We had an incident on Sunday at the Transfer Station where someone deposited what turned out to be pool chemicals in one of the packers. There was a resulting strong unidentified chemical odor. Our new Transfer Station supervisor, Chris, did a good job of notifying the fire department to have it checked out.

Transfer Station – C& D/Wood – The first two months of the new process at the transfer station has seen a marked decline in the disposal of construction & demolition debris. The month of May was down 92 tons from April, and the first collection week in June was down 2 tons from the first collection week in May and 4 tons from the second collection week in May. Wood was down 65 tons from April to May. Those savings translate for the month of May alone translate to \$11,500.

C&D Site at Pine Tree – We have been notified that Casella will continue to operate the C& D transfer site at the location on Emerson Mill Road after the facility stops accepting waste and is finally capped and closed.

A-2-b

TOWN COUNCIL MINUTES

JULY 21, 2008

The regularly scheduled meeting of the Hampden Town Council was held on Monday, July 21, 2008. The meeting was held at the municipal building council chambers and was called to order by Deputy Mayor Colford at 7:00 p.m.

Attendance: Councilors: Deputy Mayor Andrew Colford, Matthew Arnett, Thomas Brann, Andre Cushing, Shannon Cox and Edward Murphy. Mayor Rick Briggs was excused.

Town Manager: Susan Lessard

Town Counsel: Thomas Russell

Department Heads/Staff: Town Planner Bob Osborne

The first order of business was a special presentation to H.O. Bouchard, Inc. in recognition of their 50 years in business. Deputy Mayor Andrew Colford presented Harold and Brian Bouchard with the Key to the Town and a Proclamation from the Council.

Mayor Briggs was unable to attend the meeting and had requested an excused absence. Motion by Councilor Cushing, seconded by Councilor Arnett to excuse Mayor Briggs – unanimous vote in favor.

A. CONSENT AGENDA

Treasurer's Warrants were circulated for approval and signatures of the Finance Committee. Motion by Councilor Arnett, seconded by Councilor Cushing to accept the balance of the Consent Agenda – unanimous vote in favor.

B. PUBLIC COMMENTS

Jim Feverston, acting Chair of the Tree Board informed the Council that at its first meeting, the Board set a plan of work to accomplish the priorities set forth in the Tree Ordinance. The Board met with the Friends of Dorothea Dix to help develop plans for the revitalization of the Park. They have reviewed the original plan from 1903 and want to stay historically correct as much as possible while adding new services.

C. POLICY AGENDA

1. PUBLIC HEARINGS

There were none.

2. NOMINATIONS-APPOINTMENTS-ELECTIONS

There were none.

3. UNFINISHED BUSINESS

- a. INSTITUTIONAL BUILDING HEIGHT CHANGE PROPOSAL –
RESIDENTIAL B – REFER TO ORDINANCE COMMITTEE &
PLANNING BOARD

This is a proposed text amendment to the Zoning Ordinance relative to the proposed new Hampden Academy building.

Motion by Councilor Cushing, seconded by Councilor Cox to refer this to the Charter & Ordinance Committee and the Planning Board for immediate review.

During discussion, Councilor Murphy asked at what point did the architects come to the conclusion that they needed to have a revision to the ordinance and why now? Mike Pullen from WBRC Architects & Engineers said they have been working with two concepts for the new school design – a 2-story scheme and a 3-story scheme. It has become apparent that the 3-story design would be a much better fit for the property and some components of that plan are over the 35-foot height limit in the ordinance. Mr. Pullen presented a sketch of the proposed building.

Following considerable discussion, Councilor Arnett moved the question and Councilor Cox seconded the motion. Vote on the motion was 4 in favor and 2 opposed (Colford and Brann) – motion carried.

Vote on the original motion was 5 in favor and 1 opposed (Brann) – motion carried.

1. MEETING DATE CHANGES/ADDITIONS

In order for the school project to stay on the predetermined schedule, the Charter & Ordinance Committee will need to meet with the Planning Board this week. The Council will be required to hold a special meeting on July 28th to refer the amendment for public hearing and then either move its first regular meeting of August to August 11th or hold a special meeting on August 11th for the public hearing.

Motion by Councilor Arnett, seconded by Councilor Cox to accept the following schedule: joint meeting of Charter & Ordinance Committee and Planning Board on July 23rd; hold a special Council meeting on July 28th to introduce the amendment for public hearing; move the first regular meeting in August to August 11th – unanimous vote in favor.

**b. SEWER REPAIR CAPITAL PROJECT ORDINANCE –
INTRODUCTION FOR PUBLIC HEARING**

Manager Lessard pointed out that the proposed ordinance states that the public hearing would be held on August 4th, and in light of the fact that the first meeting of August was changed to August 11th; the proposed ordinance would need to be amended accordingly.

Motion by Councilor Cushing, seconded by Councilor Arnett to amend the proposed ordinance to reflect a public hearing date of August 11, 2008 – unanimous vote in favor.

Councilor Brann introduced the ordinance as amended for public hearing at the next meeting.

**c. RENEWAL OF OUTDOOR WOOD-BURNING FURNACE PERMIT –
SCOTT STANHOPE**

Motion by Councilor Cox, seconded by Councilor Arnett to approve the application – unanimous vote in favor.

d. VOTING BALLOT – MMA EXECUTIVE COMMITTEE

Manager Lessard recommended voting for the slate of candidates as presented. Motion by Councilor Arnett, seconded by Councilor Brann to endorse all candidates as proposed – unanimous vote in favor.

e. VOTING BALLOT – MMA LEGISLATIVE POLICY COMMITTEE

Manager Lessard noted that although the ballot states “vote for two”, one of the candidates is no longer the Manager of the Town of Carmel and recommended casting a vote just for Don Carroll of the Town of Stetson. Motion by Councilor Cushing, seconded by Councilor Cox to cast one vote for Don Carroll for the Maine Municipal Association’s Legislative Policy Committee – unanimous vote in favor.

4. NEW BUSINESS

a. HAMLIN MARINE – DEVELOPMENT PROPOSAL

Dan Higgins of Hamlin Marine introduced a concept plan for the marina area. It would involve Hamlin’s purchasing the adjacent 11-acre parcel of land and they are proposing swapping that parcel for the 7-acre parcel currently owned by the Town.

Motion by Councilor Cushing, seconded by Councilor Arnett to refer this proposal to the Economic Development Committee for review – unanimous vote in favor. During discussion, Councilor Cox made a friendly amendment to refer it to both Economic Development and the Community Services Committee simultaneously. Councilors Cushing and Arnett both

agreed to the amendment and vote on the motion as amended was unanimously in favor.

b. MIL RATE FOR 2008/2009 BUDGET

Manager Lessard informed the Council that after reviewing the most recent valuation figures and in order to incorporate the budget as adopted; the mil rate will need to be \$16.10, which will be a \$.40 increase. This will be on the next agenda for the Council's consideration.

D. COMMITTEE REPORTS

Councilor Arnett reported that the Charter & Ordinance Committee met earlier in the evening and is working on a number of issues, including a possible amendment to the Zoning Ordinance regarding the building height limit should Hodgdon Yachts proceed with development. The Committee continues to work on shoreland zoning and will be scheduling some neighborhood meetings to educate the public on the proposed changes. Councilor Arnett further reported that there is an inconsistency between the Town's Subdivision Ordinance and the statutory definition of subdivision. The Planning Board has drafted an amendment to replace the current definition which will be sent to the Council for introduction for public hearing.

Councilor Brann noted that the minutes of the Friends of Dorothea Dix meeting are in the packet, but he added that the boundaries of the park are currently only marked by flagging. He informed the Council that there will be a proposal to do some additional marking. He also pointed out that there are some issues with access to the park and there may be a need to acquire an easement to gain access to the central portion of the park.

Councilor Cushing reported that the Economic Development Committee met last week and the next meeting will be on July 30th at 11:00 am. He further reported that the Committee on Committees will meet that same day at 12:00 noon.

Councilor Cox reported that the Community Services Committee will meet on August 5th at 6:00 pm.

Councilor Colford scheduled a meeting of the Public Safety Committee for July 28th at 6:00 pm.

E. MANAGER'S REPORT

A copy of the Manager's Report is attached.

Manager Lessard further reported that the Town Office is now accepting debit cards with a \$1.00 convenience fee to cover the costs incurred by the Town.

F. COUNCILOR'S COMMENTS

Councilor Cushing commented that there is a stop sign at the corner of Ferry and Summer Streets and a "Do Not Park" sign on the Mayo Road, both of which are very faded. He hoped that Public Works could look into replacing those signs. He also suggested the idea of putting a flag or signage in front of the Town Office on those weekends when the transfer station is open for C & D and brush.

Councilor Arnett commended Deputy Mayor Colford for a well-conducted meeting.

Councilor Colford said he received a request from a resident on Route 69 for a school bus turn-around sign. It is the last residence in Hampden and she is concerned about safety when the bus is turning around.

G. ADJOURNMENT

There being no further business, the meeting was adjourned at 8:52 p.m.

A handwritten signature in cursive script, reading "Denise Hodsdon".

Denise Hodsdon
Town Clerk

TOWN COUNCIL MINUTES**AUGUST 11, 2008**

The regularly scheduled meeting of the Hampden Town Council was held on Monday, August 11, 2008. The meeting was held at the municipal building council chambers and was called to order by Deputy Mayor Colford at 7:00 p.m.

Attendance: Councilors: Deputy Mayor Andrew Colford, Matthew Arnett, Thomas Brann, Andre Cushing, Shannon Cox and Edward Murphy. Mayor Rick Briggs was excused.

Town Manager: Susan Lessard

Town Counsel: Thomas Russell

Department Heads/Staff: Town Planner Bob Osborne and Economic & Community Development Specialist Dean Bennett

School Building Committee Members Kathy Walker and Norman Prouty, SAD #22 Superintendent Rick Lyons and School Board Members, Water District Superintendent Cam Torrey and citizens

Mayor Briggs was unable to attend the meeting and had requested an excused absence. Motion by Councilor Cushing, seconded by Councilor Cox to excuse Mayor Briggs – unanimous vote in favor.

A. CONSENT AGENDA

Treasurer's Warrants were circulated for approval and signatures of the Finance Committee. Motion by Councilor Arnett, seconded by Councilor Cox to accept the balance of the Consent Agenda – unanimous vote in favor.

B. PUBLIC COMMENTS

There were none.

C. POLICY AGENDA**1. PUBLIC HEARINGS****a. ZONING ORDINANCE TEXT AMENDMENT – RESIDENTIAL B DISTRICT – HEIGHT OF INSTITUTIONAL BUILDINGS**

Town Planner Bob Osborne explained that this amendment allows for an increased height for institutional buildings in excess of 35 feet. It would

allow a maximum height of 60 feet with additional setback requirements as a conditional use. The Planning Board and the Council's Charter & Ordinance Committee met jointly on July 23rd and both voted to return an "ought to pass" recommendation.

Deputy Mayor Colford explained the procedure for the public hearing and then opened the hearing.

Proponents: Mike Pullen of WBRC Architects presented the proposed site plan layout and concept rendering of the building. He pointed out that only three parts of the building are over 35 feet. He noted that the three-story scheme allows a savings of \$2.2 million and he stated that the State Board of Education favors this plan.

Kathy Walker of 5 Old Coldbrook Road, one of the Town's representatives on the Hampden Academy Building Committee, thanked the Town Manager, the Town Planner, the Planning Board and the Council for expediting this process to allow a taller building. She encouraged the Council to approve the amendment in order to remove any impediments to a taller building.

Nancy Chaiyabhat of 113 Thistle Lane hoped that the Council would support the amendment. She asked for a clear definition of what an institution building is. Manager Lessard explained that that is currently being discussed at the Committee level. At the present time "institutional" has some traditional dictionary uses which the Zoning Ordinance falls back on in the absence of a detailed definition. However, it is the desire of the Planning Board and the Ordinance Committee, immediately following review of this amendment, to also determine an "institutional" definition that would be inserted into the Zoning Ordinance. Manager Lessard clarified that the term "institutional" is not limited to schools.

Tim Pease of 16 Evergreen Drive, a member of the School Board, strongly encouraged the Council to vote in favor of the amendment. He asked everyone in the audience who is in favor of the amendment to stand up. Everyone stood in support. He pointed out that making this a conditional use still gives the Planning Board some power to regulate control of exactly what comes into effect. He feels it strikes the right balance and is appropriate.

Opponents: None

General Questions or Comments: None – The hearing was closed.

Motion by Councilor Arnett, seconded by Councilor Murphy that the proposed text amendment to the Zoning Ordinance be accepted as proposed.

Following considerable discussion, vote on the motion by roll call was 6-0 in favor.

b. **BOND ISSUE ORDINANCE AUTHORIZING APPROPRIATION AND BORROWING OF FUNDS TO FINANCE VARIOUS SEWER PROJECTS – ROUTE 1-A**

Deputy Mayor Colford opened the public hearing.

Proponents – none; Opponents – none; General Questions or Comments – none. The hearing was closed.

Motion by Councilor Brann, seconded by Councilor Cushing to adopt the ordinance and send it to referendum in November – unanimous vote in favor.

2. NOMINATIONS-APPOINTMENTS-ELECTIONS

a. **NOVEMBER 4, 2008 ELECTION – ABSENTEE BALLOTS**

Town Clerk Denise Hodsdon informed the Council that the Legislature passed a law authorizing municipal clerks to prohibit in-person absentee voting the day before the November 4th Election, as long as the Clerk gives notice of the intent to do so at least 30 days before the Election. Denise asked for the Council's blessing to prohibit in-person absentee voting on November 3rd.

Motion by Councilor Brann, seconded by Councilor Cox to support the Clerk's request to prohibit in-person absentee voting on November 3rd – unanimous vote in favor.

3. UNFINISHED BUSINESS

a. **WATER DISTRICT – REQUEST FOR BIENNIAL JOINT MEETING**

Joint meetings between the Council and Water District Trustees were scheduled for October 14, 2008 and May 11, 2009.

b. **TAX RATE 2008/2009**

Manager Lessard was happy to report that with the final valuation numbers, she is recommending a mil rate of \$15.90, which would be an increase of \$.20 instead of \$.40 as discussed at the last meeting.

Motion by Councilor Brann, seconded by Councilor Arnett to set the mil rate for 2009 at \$15.90 – unanimous vote in favor.

c. **TOWN/SCHOOL – MEMORANDUM OF UNDERSTANDING**

Manager Lessard reported that she and the Council representatives met with Superintendent Lyons and School Board representatives regarding the Memorandum of Understanding relative to access to the proposed new high school. The latest version of the agreement has been endorsed by the School Board and the agreement needs to be signed by both parties before

the State will issue the deed to the parcel. Superintendent Lyons said he hoped he could get together with Manager Lessard within the next 5 to 7 business days to bring those sentiments to fruition.

4. NEW BUSINESS

a. REQUEST FOR TOLLING & STANDSTILL AGREEMENTS RELATED TO PENOBSCOT RIVER MERCURY CONTAMINATION

Manager Lessard explained that this relates to the HoltraChem cleanup of mercury contamination in the Penobscot River. Subsequent to the State of Maine putting forth a requirement that they move to Phase 2 of the cleanup, Mallinckrodt, LLC, the company that would be responsible, engaged a law firm who has distributed letters to virtually every entity with an outlet on the Penobscot River that may have contributed to the contamination. Attorney Russell has reviewed the proposed agreement on behalf of the Town of Orono and has consulted with attorneys who are representing other recipients of the agreement. They have three issues with the agreement and those issues have been communicated to the attorneys for Mallinckrodt. Attorney Russell is awaiting response from the Mallinckrodt attorneys and if those issues are addressed, he would be prepared to recommend signing the agreement.

Motion by Councilor Cushing, seconded by Councilor Cox to table this item pending further clarification from representatives of the parties involved – unanimous vote in favor.

b. URBAN/RURAL INITIATIVE PROGRAM - MDOT

Manager Lessard explained that this is the annual acceptance and certification that the URIP funds will be used only for improvements of public roads. This year's amount is \$84,964.00 and Manager Lessard requested that the Council authorize her to sign the certification accepting this money on behalf of the Town. Councilor Arnett so moved; Councilor Cox seconded the motion and vote was unanimously in favor.

c. COMMITMENT OF SEWER USER RATES

This is the commitment for the quarterly sewer billing. Motion by Councilor Cushing, seconded by Councilor Arnett to sign the Certificate of Commitment – unanimous vote in favor.

d. APPLICATIONS FOR RENEWAL OF OUTDOOR WOOD-BURNING FURNACE LICENSES

1. BRIAN MUSHROW

Motion by Councilor Cushing, seconded by Councilor Cox to approve the application – unanimous vote in favor.

2. GARY THIBODEAU

Motion by Councilor Cushing, seconded by Councilor Cox to approve the application – unanimous vote in favor.

3. RICHARD GOLDING

Motion by Councilor Cushing, seconded by Councilor Cox to approve the application – unanimous vote in favor.

e. EXECUTIVE SESSION – COUNCIL – ECONOMIC DEVELOPMENT

This item was moved to the end of the meeting. Councilor Brann requested the Executive Session in order to discuss economic development assignments for our Community & Economic Development Specialist that involve individual landowner contact. He explained that the nature of the executive session would be a strategy meeting to discuss negotiating the purchase of additional land for the Town at an undesignated location.

Motion by Councilor Brann, seconded by Councilor Murphy to enter Executive Session pursuant to 1 M.R.S.A. §405(6)(C), to include the Council, Town Attorney, Town Manager and Economic & Community Development Specialist Dean Bennett. Vote on the motion was 5-0 in favor; Councilor Arnett abstained.

Motion by Councilor Cushing, seconded by Councilor Arnett to re-enter regular session at 9:17 pm – unanimous vote in favor. No action was taken on this item.

D. COMMITTEE REPORTS

Councilor Cox reported that the Community Services Committee met last week and will be coming back to the Council with additional information and request in terms of some of the work that is coming out of that committee. The focus of the last meeting was working with the Friends of Dorothea Dix group to continue discussion with Prentiss & Carlisle about the work to be done at the park. The next meeting will be on August 19th at 6:00 pm.

Councilor Cushing reported that the Economic Development Committee met and discussed several issues. The Committee also heard an update from a representative of Hodgdon Yachts as to where their project stands. Councilor Cushing said one of the things that has come up is a request to clarify at the Council level what some of the Committee's goals are. Economic Development Specialist Dean Bennett, working with the Economic Development Consultant Bion Foster, constantly run into questions in regard to priorities for the Town and it would be helpful for the Council to assess the goals for Economic Development.

Councilor Cushing further reported that the Committee on Committees will meet at August 14th at noon.

Councilor Arnett reported that the Charter & Ordinance Committee did not meet this evening, but will meet again at 5:45 pm on August 18th.

Councilor Arnett also reported that the Communications Committee has decided to move the newsletter editor's role from a volunteer activity to a part-time paid position and Annie Gabbianelli O'Reilly has been hired for that position. The next meeting will be at 7:00 pm on August 20th.

Councilor Brann reported that the Comprehensive Planning Committee will meet on August 19th following the Community Services Committee meeting. The Finance Committee will meet on August 14th at 7:00 pm.

Councilor Colford reported that the Public Safety Committee met with Public Safety Director Joe Rogers relative to the new tanker truck. They discussed specifications for the new truck and financing options. They will be bringing different options back to the Council in the near future.

E. MANAGER'S REPORT

A copy of the Manager's Report is attached.


F. COUNCILOR'S COMMENTS

Councilor Cox complimented everyone who worked on the most recent newsletter. She commented that it is a wonderful asset to the community. She asked the Council to give some serious consideration to scheduling a community forum around the heating fuel crisis that may be coming this winter.

Councilor Cushing suggested that if the Council does hold a public forum, it would be a good idea to hold it in the Council Chambers so it could be taped and re-broadcast on Cable TV Channel 7.

G. ADJOURNMENT

There being no further business, the meeting was adjourned at 9:18 p.m.



Denise Hodsdon
Town Clerk

MANAGERS REPORT
August 11, 2008

Newsletter - the newest edition of the newsletter has been sent to the post office for delivery and is posted on the town website. Thanks to Annie O'Reilly who is acting as our new editor.

Tax Liens - Tax liens on unpaid 2007/08 property taxes will be placed on Wednesday, August 13th. I am happy to report that despite economic conditions, the number of liens being placed is currently ten fewer than were placed last year. Last year we placed 83 tax liens. This year's count, with two days remaining before placement is 73.

Employee Barbecue - A reminder that the employee barbecue is tomorrow, August 12th at 5:00 p.m. If the weather is good it will be adjacent to the Pool, if not, it will be held in the Community Room at the Town Office.

September 23rd - The School Referendum vote will be held from 8 a.m. until 8 p.m. on Tuesday, September 23rd in the Community Room of the Town Office.

Nomination Papers - Nomination papers are now available for all four district council seats for 3 year terms. They must be returned by 4:30 p.m. on September 5, 2008. SAD #22 nomination papers are available for 3 seats for 3 year terms and 1 seat for a 1 year term. The Hampden Water District has one seat available for a five year term.

Children's Day - A reminder to all that Saturday, August 16th is Children's Day. The Town Office is entering a float in the parade for the first time in many years. We encourage everyone to come out and join the festivities this year.

Debit Cards - Debit Card transactions have been underway for a couple of weeks now and the process appears to be working smoothly. It has been well received although we have had several customers who were unhappy that that the customer must pay us the fee that the town incurs for the transactions.

Pine Tree Retirement - It is with sadness that I am reporting that Marty Drew is retiring from Casella Waste. His last official day is August 31, 2008, although he will continue in an advisory capacity with the company for some time following that date.

Revenue Detail Report

ALL Accounts

12/31/2008

4-3-a

Desc----	Current		Uncollected	
	Budget	Debits	Credits	Balance
01 - GENERAL GOVT				
03 - INT ON TAXES	16,000.00	1,840.60	15,864.00	1,976.60
05 - INTEREST/COSTS ON TAX LIENS	11,000.00	456.32	10,070.79	1,385.53
15 - MV EXCISE TX	1,500,000.00	1,044.60	757,702.06	743,342.54
17 - BOAT EXCISE	8,500.00	5.00	1,555.80	6,949.20
18 - AGENT FEES	19,000.00	4.00	9,362.00	9,642.00
19 - CLERK FEES	9,000.00	0.00	4,928.75	4,071.25
23 - INTEREST EARNED ON ACCOUNTS	176,000.00	0.00	20,955.72	155,044.28
25 - RENTAL INCOME	2,000.00	2,000.00	2,000.00	2,000.00
27 - PLUMBING FEE	8,000.00	431.00	2,372.25	6,058.75
29 - CODE ENFORCEMENT FEES	18,000.00	35.00	10,980.18	7,054.82
31 - PLANNING BOARD FEES	6,000.00	0.00	1,175.00	4,825.00
35 - CABLE TV FEE	33,000.00	0.00	18,105.76	14,894.24
37 - FEE/PERMITS	1,200.00	0.00	1,400.00	-200.00
45 - HOUSING FOUNDATION	6,300.00	0.00	5,916.00	384.00
47 - BUSINESS PARK REVENUE	100,000.00	0.00	191,250.00	-91,250.00
78 - SEWER INCOME	55,000.00	0.00	0.00	55,000.00
79 - MISC INCOME	5,000.00	0.00	99.80	4,900.20
80 - HOMESTEAD EX	183,472.00	0.00	183,754.00	-282.00
81 - TREE GROWTH	5,000.00	1,311.49	1,311.49	5,000.00
82 - VETERAN'S REIMBURSEMENT	4,500.00	3,517.00	3,517.00	4,500.00
85 - Business Equip Tax Reimburse	111,263.00	0.00	111,263.00	0.00
86 - GENERAL ASSISTANCE REIMBURSEMENT	2,500.00	0.00	684.66	1,815.34
88 - REVENUE SHARING	800,000.00	0.00	441,138.28	358,861.72
Department..	3,080,735.00	10,645.01	1,795,406.54	1,295,973.47
05 - PUBLIC SAFETY				
01 - ANIMAL CONTROL FEES	2,000.00	0.00	30.00	1,970.00
05 - AMBULANCE FEES	125,000.00	4,659.10	82,742.37	46,916.73
08 - STREET SIGNS	0.00	114.00	126.00	-12.00
15 - POLICE RECEIPTS	2,500.00	128.00	1,388.80	1,239.20
20 - DEA / SCHOOL REIM	95,000.00	12,536.19	52,015.35	55,520.84
Department..	224,500.00	17,437.29	136,302.52	105,634.77
10 - PUBLIC WORKS				
01 - CEMETERY FEES	5,000.00	0.00	2,475.00	2,525.00
05 - SALE OF CEMETERY LOTS	4,000.00	200.00	2,300.00	1,900.00
Department..	9,000.00	200.00	4,775.00	4,425.00
15 - SOLID WASTE				
01 - TRANSFER STATION PERMITS	15,000.00	0.00	4,065.00	10,935.00
05 - SOLID WASTE RECYCLING	24,000.00	10,161.16	17,031.13	17,130.03
10 - PERC REVENUE	60,000.00	2,287.90	44,905.56	17,382.34
Department..	99,000.00	12,449.06	66,001.69	45,447.37

20 - RECREATION/CULTURE

01 - LIBRARY FEES	7,000.00	0.00	3,024.01	3,975.99
25 - L HOIT POOL FEES	145,000.00	134.00	65,668.75	79,465.25
	152,000.00	134.00	68,692.76	83,441.24
Department..				
Final Totals	3,565,235.00	40,865.36	2,071,178.51	1,534,921.85

58% OF ESTIMATED REVENUE COLLECTED THROUGH 50% OF FISCAL YEAR

Hampden	Expense Detail Report			
8:23 AM		12/31/2008		
	ALL Months - ALL Expenses			
		Current		Unexpended
	Desc---	Budget	Net	Balance
Administration				
01 - ADMIN		537,888.00	286,750.40	251,137.60
02 - GIS/IT		118,632.00	54,237.70	64,394.30
03 - COMMUNICATIONS		35,614.00	18,038.38	17,575.62
05 - TOWN COUNCIL		36,525.00	11,506.34	25,018.66
10 - MUNICIPAL BUILDING		119,857.00	48,683.92	71,173.08
15 - TAX COLLECTR		6,000.00	4,101.89	1,898.11
20 - ELECTIONS		12,963.00	7,063.25	5,899.75
25 - ASSESSOR/PLANNING/CEO		230,336.00	104,326.73	126,009.27
30 - ECONOMIC DEV		92,318.00	57,760.35	34,557.65
	Department..	1,190,133.00	592,468.96	597,664.04
Public Safety				
01 - POLICE		968,423.00	458,962.49	509,460.51
05 - FIRE DEPT.		872,488.00	398,988.02	473,499.98
10 - PUBLIC SAFETY		166,354.00	83,426.01	82,927.99
	Department..	2,007,265.00	941,376.52	1,065,888.48
Non-Dept. Utilities				
06 - Utilities		414,078.00	199,021.41	215,056.59
	Department..	414,078.00	199,021.41	215,056.59
10 - PUBLIC WORKS				
01 - HIGHWAY		1,236,520.00	529,645.78	706,874.22
05 - GARAGE		37,840.00	18,360.55	19,479.45
	Department..	1,274,360.00	548,006.33	726,353.67
15 - SOLID WASTE				
10 - SOLID WASTE		482,820.00	183,823.24	298,996.76
	Department..	482,820.00	183,823.24	298,996.76
20 - RECREATION/CULTURE				
01 - PARKS/REC		124,942.00	65,063.71	59,878.29
10 - DYER LIBRARY		230,163.00	117,056.85	113,106.15
15 - DYER ENTERPRISE		0.00	-3,986.44	3,986.44
20 - L HOIT MEMORIAL POOL		360,528.00	154,451.09	206,076.91
25 - MARINA		500.00	613.70	-113.70
	Department..	716,133.00	333,198.91	382,934.09
25 - THE BUS				
10 - THE BUS		55,000.00	20,839.34	34,160.66
	Department..	55,000.00	20,839.34	34,160.66
30 - BUILDINGS/GROUNDS				
10 - BLDG/GROUNDS		86,800.00	57,286.47	29,513.53
	Department..	86,800.00	57,286.47	29,513.53
38 - OUTSIDE AGENCIES				
10 - OUTSIDE AGENCIES		25,416.00	10,014.56	15,401.44
	Department..	25,416.00	10,014.56	15,401.44
40 - GENERAL ASSISTANCE				
10 - GEN'L ASSIST		10,000.00	257.00	9,743.00
	Department..	10,000.00	257.00	9,743.00

		Current		Unexpended
	Desc---	Budget	Net	Balance
45 - COUNTY TAX				
10 - COUNTY TAX		586,820.00	586,819.70	0.30
	Department..	586,820.00	586,819.70	0.30
50 - DEBT SERVICE				
10 - GENERAL		467,793.00	413,615.71	54,177.29
	Department..	467,793.00	413,615.71	54,177.29
55 - RESERVE ACCT				
02 - MUNICIPAL BUILDING		10,000.00	0.00	10,000.00
11 - COMPUTER		9,970.00	0.00	9,970.00
17 - PUBLIC WORKS EQUIP REPLACEMENT		100,000.00	0.00	100,000.00
31 - GIS MAPPING		10,000.00	0.00	10,000.00
37 - AMBULANCE		20,000.00	0.00	20,000.00
41 - FIRE TRUCK RESERVE		25,000.00	0.00	25,000.00
43 - FIRE TRUCK REFURBISHING		4,000.00	0.00	4,000.00
61 - STREETS AND ROADS		45,000.00	0.00	45,000.00
63 - LIBRARY RESERVE		5,000.00	0.00	5,000.00
71 - POOL FACILITY		15,000.00	0.00	15,000.00
	Department..	243,970.00	0.00	243,970.00
65 - ED GEN'L SVS				
10 - EDUCATION GENERAL SERVICES		5,024,922.00	2,512,460.94	2,512,461.06
	Department..	5,024,922.00	2,512,460.94	2,512,461.06
66 - OVERLAY				
01 - OVERLAY		78,104.00	0.00	78,104.00
	Department..	78,104.00	0.00	78,104.00
67 - TIF				
01 - TIF REIMBURSEMENT		50,000.00	20,250.65	29,749.35
	Department..	50,000.00	20,250.65	29,749.35
Final Totals		12,713,614.00	6,005,824.03	6,294,174.26
50% OF YEAR EXPENDED, 47.2% OF TOTAL BUDGET EXPENDED				

Reserves November of 2008												
Account Number	Description	Balance 11/1/08	% Total	Invest Int	FMV +/-	Checking Int	Total Int/FMV	Revenue	Expense	Balance 11/30/2008	2008/2009 Appropriation	Balance
702	Municipal Building	\$ 6,663.26	0.81385%	\$ 309.04	\$ 10,759.18	\$ 187.08	\$ 11,255.30			\$ 754.86	\$ 10,000.00	\$ 10,754.86
706	Contingency	\$ 562.43	0.06869%	\$ 2.52	\$ 87.56	\$ 1.52	\$ 91.60		\$ (6,000.00)	\$ 570.16		\$ 570.16
708	Cemetery	\$ 18,879.67	2.30597%	\$ 7.13	\$ 248.10	\$ 4.31	\$ 259.54	\$ 200.00		\$ 19,339.21		\$ 19,339.21
710	City Bus Purchase Reserve	\$ 14,925.65	1.82303%	\$ 5.63	\$ 196.14	\$ 3.41	\$ 205.19			\$ 15,130.84		\$ 15,130.84
711	Computer	\$ 12,375.07	1.51150%	\$ 4.67	\$ 162.62	\$ 2.83	\$ 170.12	\$ 65.77		\$ 12,610.97	\$ 9,970.00	\$ 22,580.97
715	Copier Reserve	\$ 220.86	0.02698%	\$ 0.08	\$ 2.90	\$ 0.05	\$ 3.04			\$ 223.90		\$ 223.90
717	Publ Wrks.Equip.Replace.	\$ (31,423.86)	-3.83813%	\$ (11.86)	\$ (412.95)	\$ (7.18)	\$ (431.99)		\$ (22,710.00)	\$ (54,565.85)	\$ 100,000.00	\$ 45,434.15
719	Town Records Restoration	\$ 4,787.01	0.58469%	\$ 1.81	\$ 62.91	\$ 1.09	\$ 65.81			\$ 4,852.82		\$ 4,852.82
721	Planning Board Development	\$ 2,912.38	0.35572%	\$ 1.10	\$ 38.27	\$ 0.67	\$ 40.04			\$ 2,952.42		\$ 2,952.42
723	Planning Board Reserve	\$ 2,271.84	0.27748%	\$ 0.86	\$ 29.85	\$ 0.52	\$ 31.23			\$ 2,303.07		\$ 2,303.07
725	Planning and Commissions	\$ 4,791.17	0.58520%	\$ 1.81	\$ 62.96	\$ 1.09	\$ 65.87			\$ 4,857.04		\$ 4,857.04
727	Economic Development Reserve	\$ 27,081.27	3.30772%	\$ 10.22	\$ 355.88	\$ 6.19	\$ 372.29			\$ 27,453.56		\$ 27,453.56
729	Town Properties Reserve	\$ 11,864.71	1.44916%	\$ 4.48	\$ 155.92	\$ 2.71	\$ 163.11			\$ 12,027.81	\$ 10,000.00	\$ 12,027.81
731	GIS Mapping Reserve	\$ 10,099.70	1.23358%	\$ 3.81	\$ 132.72	\$ 2.31	\$ 138.84			\$ 10,238.55		\$ 10,238.55
733	Wage Study	\$ 30,470.27	3.72166%	\$ 11.50	\$ 400.42	\$ 6.96	\$ 418.88			\$ 30,889.15		\$ 30,889.15
737	Ambulance	\$ 44,566.63	5.44340%	\$ 16.82	\$ 585.66	\$ 10.18	\$ 612.67			\$ 45,179.30	\$ 20,000.00	\$ 65,179.30
739	Vaccine/Radio (EMS)	\$ 847.74	0.10354%	\$ 0.32	\$ 11.14	\$ 0.19	\$ 11.65			\$ 859.40		\$ 859.40
741	Fire Truck	\$ 162,450.28	19.84177%	\$ 61.32	\$ 2,134.81	\$ 37.12	\$ 2,233.25			\$ 164,683.53	\$ 25,000.00	\$ 189,683.53
743	Fire Truck Refurbishing	\$ 7,567.31	0.92428%	\$ 2.86	\$ 99.44	\$ 1.73	\$ 104.03			\$ 7,671.34	\$ 4,000.00	\$ 11,671.34
745	Fire Dept. Building Reserve	\$ 8,161.64	0.99687%	\$ 3.08	\$ 107.25	\$ 1.86	\$ 112.20			\$ 8,273.84		\$ 8,273.84
747	Visual Aid-Fire Dept	\$ 5,187.94	0.63366%	\$ 1.96	\$ 68.18	\$ 1.19	\$ 71.32			\$ 5,259.26		\$ 5,259.26
749	Fire Dept. Training Reserve	\$ 2,140.30	0.26142%	\$ 0.81	\$ 28.13	\$ 0.49	\$ 29.42			\$ 2,169.72		\$ 2,169.72
751	Boat Reserve	\$ 1,345.28	0.16431%	\$ 0.51	\$ 17.68	\$ 0.31	\$ 18.49			\$ 1,363.77		\$ 1,363.77
753	Police Cruiser/Comm.	\$ 10,645.83	1.30029%	\$ 4.02	\$ 139.90	\$ 2.43	\$ 146.35			\$ 10,792.18		\$ 10,792.18
759	Communications Reserve	\$ 3,564.85	0.43541%	\$ 1.35	\$ 46.85	\$ 0.81	\$ 49.01			\$ 3,613.86		\$ 3,613.86
761	Streets and Roads	\$ 199,467.12	24.36303%	\$ 75.29	\$ 2,621.26	\$ 45.58	\$ 2,742.13	\$ 21,241.00		\$ 223,450.25	\$ 45,000.00	\$ 268,450.25
763	Library	\$ 16,242.47	1.98387%	\$ 6.13	\$ 213.45	\$ 3.71	\$ 223.29			\$ 16,465.76	\$ 5,000.00	\$ 21,465.76
765	Library Grant	\$ 235.43	0.02876%	\$ 0.09	\$ 3.09	\$ 0.05	\$ 3.24			\$ 238.66		\$ 238.66
767	Recreation Area Reserve	\$ -	0.00000%	\$ -	\$ -	\$ -	\$ -			\$ -		\$ -
768	Playground	\$ 0.00	0.00000%	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00			\$ 0.00		\$ 0.00
769	Recreation/Conservation	\$ 69,021.67	8.43035%	\$ 26.05	\$ 907.04	\$ 15.77	\$ 948.86			\$ 69,970.53		\$ 69,970.53
771	Pool Facility Reserve	\$ 48,326.81	5.90266%	\$ 18.24	\$ 635.08	\$ 11.04	\$ 664.36			\$ 48,991.17	\$ 15,000.00	\$ 63,991.17
773	Marina Improvements	\$ 14,571.15	1.77973%	\$ 5.50	\$ 191.48	\$ 3.33	\$ 200.31			\$ 14,771.47		\$ 14,771.47
775	Buildings/Grounds Reserve	\$ 3,371.58	0.41181%	\$ 1.27	\$ 44.31	\$ 0.77	\$ 46.35			\$ 3,417.93		\$ 3,417.93
777	Solid Waste/Municipal Garage	\$ 16,484.87	2.01347%	\$ 6.22	\$ 216.63	\$ 3.77	\$ 226.62			\$ 16,711.49		\$ 16,711.49
778	Garage Modifications	\$ 45,489.73	5.5614%	\$ 17.17	\$ 597.80	\$ 10.39	\$ 625.36			\$ 46,115.09		\$ 46,115.09
780	Matching Grants	\$ 42,558.54	5.19813%	\$ 16.06	\$ 559.28	\$ 9.72	\$ 585.06			\$ 43,143.61		\$ 43,143.61
		\$ 818,728.61	100.00000%	\$ 309.04	\$ 10,759.18	\$ 187.08	\$ 11,255.30	\$ 21,506.77	\$ (28,710.00)	\$ 822,780.68	\$ 243,970.00	\$ 1,066,750.68

A-4-a

H B A

Hampden Business Association

Luncheon Meeting Announcement

Where: Fresh Ginger Restaurant
64 Main Rd North, Hampden
862-6208

When: Tuesday, January 6, 2009
Noon – 1pm.
(Lunch – order from menu)

2009 Planning Meeting

☐ **Calendar of events & meetings**

Plan & Discuss HBA initiatives, topics & guests.

☐ **Awards Dinner Committee**

Volunteers needed to help plan dinner.

☐ **Officer Nomination Committee**

Volunteers needed to accept nominations for President, Vice-President, Secretary, and Treasurer from January to April. New officers elected at April meeting to be recognized at awards dinner in May.

☐ **HBA Balance Sheet – '08 Recap**

☐ **Membership Committee**

Volunteers needed to discuss '09 dues and fundraising activities

Members, this is your chance to provide your input, join a committee and help the HBA plan for the upcoming year. Those that wish to volunteer but can not make the meeting; please contact Perry Speaker, President @ 862-9225 or perry.speaker@tdstelecom.com.

Our sincere thanks to the folks at Fresh Ginger Restaurant for the use of their facilities.



A-5a

December 19, 2008

Susan Lessard
Town Manager
Municipal Building
106 Western Avenue
Hampden, ME 04444

Dear Susan:

The enclosed host fee payment of \$46,327.90 represents the period November 2008, during which 25,042 tons were disposed at PTL.

As always, please give me a call if you have any questions about the landfill.

Sincerely,



Donald Meagher

Enc: Host community benefit check
2008 host community benefit summary



A-5-B

December 9, 2008

Susan Lessard
Town Manager
Town of Hampden
106 Western Avenue
Hampden, Maine 04444

**RE: Pine Tree Landfill
Monthly Report of Landfill Complaints**

Dear Susan:

During the Month of November 2008, one complaint was received pertaining to Pine Tree Landfill.

If you should require any additional information, please feel free to contact me at 862-4200, ext. 245.

Sincerely,

PINE TREE LANDFILL

Tom Gilbert
Environmental Compliance Manager

CC: Cyndi Darling, MDEP
Wayne Boyd, Casella Waste Systems, Inc.
Don Meagher, Casella Waste Systems, Inc.
Toni King, Casella Waste Systems, Inc.

PINE TREE LANDFILL
-LANDFILL COMPLAINT RECORD FORM-
 NOVEMBER 2008

Date of Complaint	Time of Day	Nature of Complaint	Complaint Originating From	Real-time Complaint?	Wind From What Direction & Speed	Site downwind From landfill?	Call or Site Visit Made By	Potential Source of Odor	Landfill Odor Confirmed?	Caller/Responder Comments
11/13/08	2:58 PM	Odor	Town Office	Yes	Zero Wind	NA	Don Meagher	H ₂ S	Yes	Smell H ₂ S on Cold Brook Rd
Real-time Complaints for the Month:										
Non-Real-time Complaints for the Month:										
None										
Mobile Complaints for the Month:										
None										

Month Total Complaints: 1

Number of Complaints Confirmed to be Landfill: 1

Number of Complaints Not Confirmed as Originating from landfill or Possibly from Other Sources: 0

Note:

A "Real-time Complaint" is a complaint called in within the first 30 minutes of detecting the odor to allow for proper response.

A "Non-Real-time Complaint" is a complaint called in after 30 minutes or more have passed since first detecting the presence of odor and does not allow for proper response time (the odor may no longer be present).

A "Mobile Complaint" is a complaint called in as detecting odor on a roadway and not at a particular residence.



A-5-c

December 9, 2008

Cyndi Darling
Maine Dept. of Environmental Protection
Bureau of Remediation & Waste Management
106 Hogan Road
Bangor, Maine 04401

**RE: New England Waste Services of ME
d/b/a Pine Tree Landfill
Monthly Special Waste Activity Report**

Dear Cyndi:

Enclosed please find the November 2008 Waste Activity Report for Pine Tree Landfill. All analytical data relating to special waste deliveries to the landfill is kept on file for your review as required.

If you should have any questions regarding the enclosed, please do not hesitate to contact me at 862-4200, ext.245.

Sincerely,

PINE TREE LANDFILL

A handwritten signature in black ink, appearing to read "Tom Gilbert", written in a cursive style.

Tom Gilbert
Environmental Compliance Manager

Enclosure

CC: Wayne Boyd, PTL
Toni King, Casella Waste Systems, Inc.
Susan Lessard, Town of Hampden

PINE TREE LANDFILL
HAMPDEN, MAINE
MONTHLY WASTE ACTIVITY REPORT
November 2008

Delivery Date	Manifest Approval #	Waste Description	Quantity Delivered (tons)	Transporter Name	Generator Name	State of Origin
11/07/08	233368	CONTAMINATED SOIL	0.28	CH	AAA-VEHICLE ACCIDENT	ME
11/26/08	234758	CONTAMINATED SOIL	2.04	PS	GARDNER LOGGING	ME
11/24/08	234569	CONTAMINATED SOIL	6.67	PTS	MAIN STREET	ME
11/07/08	233365	CONTAMINATED SOIL	0.43	CH	UNKNOWN/ D.E.P.AUTHORIZED	ME
11/12/08	233666	FILTER MEDIA SHUTS	1.50	PTS	FISHER ENGINEERING	ME
11/13/08	233750	GRIT CATCH BASIN	8.77	CH	DOT MARS HILL	ME
11/20/08	234314	GRIT CATCH BASIN	6.74	CH	MAINE AIR GUARDE	ME
11/10/08	233475	GRIT CATCH BASIN	1.22	U OF ME	UNIVERSITY OF MAINE	ME
11/21/08	234420	GRIT SAND BLAST	31.28	EVERGREEN	COPIA SPECIALTY CONTRACTOR	ME
11/04/08	233012	GRIT SAND BLAST	9.68	PTS	ROCKLAND MARINE	ME
11/19/08	234164	INCINERATOR ASH	0.24	BHS	BANGOR HUMANE SOCIETY	ME
11/05/08	233141	LEATHERSCRAPS	11.63	PTS	IRVING TANNING	ME
11/13/08	233762	LEATHERSCRAPS	11.64	PTS	IRVING TANNING	ME
11/26/08	234707	LEATHERSCRAPS	11.58	PTS	IRVING TANNING	ME
11/12/08	233642	NON FRIABLE ASBESTOS	2.67	GEO	ABSOLUTE ENVIRONMENTAL	MA
11/04/08	233053	NON FRIABLE ASBESTOS	3.10	ROOF	HOOTHBAY HARBOR OPERA HOU	ME
11/10/08	233512	NON FRIABLE ASBESTOS	2.88	ROOF	HOOTHBAY HARBOR OPERA HOU	ME
11/13/08	233723	NON FRIABLE ASBESTOS	1.60	ROOF	HOOTHBAY HARBOR OPERA HOU	ME
11/18/08	234065	NON FRIABLE ASBESTOS	0.86	ROOF	HOOTHBAY HARBOR OPERA HOU	ME
11/25/08	234657	NON FRIABLE ASBESTOS	2.74	ROOF	HOOTHBAY HARBOR OPERA HOU	ME
11/12/08	233669	NON FRIABLE ASBESTOS	35.38	GEO	CCI/LLC	NA
11/14/08	233845	NON FRIABLE ASBESTOS	10.71	GEO	CCI/LLC	MA
11/17/08	233986	NON FRIABLE ASBESTOS	5.89	GEO	CCI/LLC	MA
11/18/08	234079	NON FRIABLE ASBESTOS	6.69	GEO	CCI/LLC	MA
11/19/08	234173	NON FRIABLE ASBESTOS	4.22	GEO	CCI/LLC	MA
11/21/08	234359	NON FRIABLE ASBESTOS	7.43	G&E	PRIDE CORNER FIRE STATION	ME
11/19/08	234172	NON FRIABLE ASBESTOS	2.99	PTW	ARMORY	ME
11/28/08	234845	NON FRIABLE ASBESTOS	5.07	PTS	BADRO INVESTMENTS	ME
11/25/08	234622	NON HAZARDOUS CHEMICAL	9.71	PTS	TOM'S OF MAINE	ME
11/05/08	233118	OILY DEBRIS	3.81	EN	FORMER LAKE ASPHALT	MA
11/14/08	233854	OILY DEBRIS	33.73	BRIGHTER	FORMER PLEASE BROS INC	MA
11/14/08	233861	OILY DEBRIS	30.34	BRIGHTER	FORMER PLEASE BROS INC	MA
11/14/08	233862	OILY DEBRIS	24.65	BRIGHTER	FORMER PLEASE BROS INC	MA
11/14/08	233867	OILY DEBRIS	32.52	BRIGHTER	FORMER PLEASE BROS INC	MA
11/14/08	233871	OILY DEBRIS	35.49	BRIGHTER	FORMER PLEASE BROS INC	MA
11/12/08	233650	OILY DEBRIS	15.56	CLEAN VENT	GENERAL CHEMICAL	MA
11/19/08	234165	OILY DEBRIS	15.85	CLEAN VENT	GENERAL CHEMICAL	MA
11/18/08	234121	OILY DEBRIS	0.08	HOB	H O BOUCHARD	ME
11/03/08	232920	OILY DEBRIS	28.21	J&J	UNITED OIL RECOVERY	NH
11/04/08	233030	OILY DEBRIS	27.61	SAMS	UNITED OIL RECOVERY	NH
11/04/08	233059	OILY DEBRIS	28.45	SAMS	UNITED OIL RECOVERY	NH
11/05/08	233129	OILY DEBRIS	27.45	SAMS	UNITED OIL RECOVERY	NH
11/06/08	233240	OILY DEBRIS	26.69	SAMS	UNITED OIL RECOVERY	NH
11/07/08	233353	OILY DEBRIS	27.90	SAMS	UNITED OIL RECOVERY	NH
11/11/08	233539	OILY DEBRIS	26.56	SAMS	UNITED OIL RECOVERY	NH
11/14/08	233890	OILY DEBRIS	30.42	SAMS	UNITED OIL RECOVERY	NH
11/17/08	234022	OILY DEBRIS	30.95	SAMS	UNITED OIL RECOVERY	NH
11/21/08	234394	OILY DEBRIS	28.51	SAMS	UNITED OIL RECOVERY	NH
11/24/08	234547	OILY DEBRIS	36.43	SAMS	UNITED OIL RECOVERY	NH
11/29/08	234852	OILY DEBRIS	28.72	J&J	UNITED OIL RECOVERY	NH
11/25/08	234639	SUMP CLEAN OUT	20.16	DYS	DYSARTS	ME
11/25/08	234645	SUMP CLEAN OUT	20.01	DYS	DYSARTS	ME
11/25/08	234650	SUMP CLEAN OUT	19.99	DYS	DYSARTS	ME
11/25/08	234654	SUMP CLEAN OUT	20.32	DYS	DYSARTS	ME
11/10/08	233521	WOOD ASH	8.72	PTW	DEN ROSS NEW ENGALND	ME
11/12/08	233646	WOOD ASH	13.69	PTS	AROOSTOOK & BANGOR RELOAD	ME
11/03/08	232908	WOOD ASH	17.98	WYN	TOWN OF WINTERPORT	ME

MONTH TOTAL (TONS): 866.44

C-1-A



TO: Hampden Town Council
FROM: Robert Osborne, Town Planner
SUBJECT: Draft Mobile Home Park Ordinance Amendment
DATE: December 10, 2008

The Town Council may recall that some time ago Hampden Trailer Park's owner Ed Emmons spoke to the Council during an open discussion about some concerns that he has about the current Mobile Home Park Ordinance. Subsequently in October he requested to speak to the Council's Charter and Ordinance Committee to specifically address his issues which primarily centered around annual inspections and certifications each trailer. The Charter and Ordinance Committee asked the attending staff (Code Enforcement, Public Safety and Planning) to address these comments and subsequently there was a consensus that some reasonable accommodation was advisable.

At the Charter and Ordinance Committee's December 1, 2008 meeting the committee voted unanimously to refer the attached amendment for public hearing.

**TOWN OF HAMPDEN
Draft**

The Town of Hampden Hereby Ordains
Proposed Amendments to the Mobile Home Park Ordinance

Deletions are ~~Strikethrough~~ Additions Double Underlined

**TOWN OF HAMPDEN, MAINE
MOBILE HOME PARK ORDINANCE**

ENACTED DATE: October 12, 2004
EFFECTIVE DATE: November 12, 2004

AMENDED: Hampden Town Council, June 19, 2006
Effective Date, July 19, 2006

CERTIFIED BY: Denise Hodsdon
Name

Town Clerk
Title Affix Seal

**MOBILE HOME PARK ORDINANCE
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ARTICLE 1
GENERAL PROVISIONS

1.1. Title. This Ordinance shall be known as the "Mobile Home Park Ordinance of the Town of Hampden, Maine," and shall be referred to herein as the "Ordinance."

1.2. Authority. This Ordinance is enacted under the authority granted to the Town by the constitution and statutes of the State of Maine.

1.3. Purposes. The purposes of this Ordinance are:

1. To promote the public health, safety and welfare of the residents of the Town;
2. To establish standards for mobile homes located in mobile home parks;
3. To establish standards for the maintenance and operation of mobile home parks;
4. To establish standards for the maintenance and occupancy of mobile homes and mobile home lots located in mobile home parks; and
5. To establish a licensing and enforcement mechanism for mobile home parks.

1.4. Applicability. The provision of this Ordinance shall apply to all mobile home parks, and the mobile homes located within mobile home parks, as defined by this Ordinance and by Title 30-A M.R.S.A. § 4358, located within the Town of Hampden on or after May 1, 2004.

1.5. Conflict With Other Ordinances. Whenever the requirements of this Ordinance are in conflict with the requirements of any other rule, regulation, ordinance, or statute, the more restrictive requirement shall prevail, unless otherwise prohibited by state law or expressly provided for in this Ordinance.

1.6. Definitions. For the purposes of this Ordinance, the following definitions shall apply:

Accessory Structure: A structure of a nature customarily incidental or subordinate to the principal structure.

Code Enforcement Officer: A person or persons appointed by the Town Manager to administer and enforce Town Ordinances. The term shall also include Building Inspector, Fire Inspector, Local Plumbing Inspector and the like, if applicable.

Licensee: The mobile home park owner or the applicant for a mobile home park license.

Mobile Home: Two types of mobile homes are included in this definition:

1. *Certified mobile home.* Those units constructed after June 15, 1976, which the manufacturer certifies are constructed in compliance with the United States Department of Housing and Urban Development standards, meaning structures transportable in one or more sections, that in the traveling mode are fourteen (14) body feet or more in width and are seven hundred fifty (750) or more square feet, and that are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations, when connected to the required utilities, including the plumbing, heating, air-conditioning and electrical systems contained therein. This term shall also include any structure that meets all the requirements of this paragraph except the size requirements and with respect to which

the manufacturer voluntarily files a certification required by the Secretary of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 United States Codes 5401, et seq.

2. *Non-certified mobile homes:* Those units constructed prior to June 15, 1976, meaning structures, transportable in one (1) or more sections, which are eight (8) body feet or more in width and are thirty-two (32) body feet or more in length, and which are built on a permanent chassis and designed to be used as dwellings, with or without permanent foundations, when connected to the required utilities, including the plumbing, heating, air-conditioning or electrical systems contained therein.

Mobile Home Owner: A person having ownership and/or legal control of a mobile home herein after referred to as home owner.

Mobile Home Park: A parcel of land under unified ownership approved by the Town for the placement thereon of three or more mobile homes.

Mobile Home Park Lot: The area of land on which an individual mobile home is situated within a mobile home park and which is reserved for use by the occupants of that mobile home.

Mobile Home Park Owner: A person having ownership and/or legal control of a mobile home park herein after referred to as Park Owner.

Mobile Home Stand: The part of an individual mobile home lot which has been constructed and reserved for the placement thereon of a mobile home.

Person: An individual, partnership, corporation, limited liability company, limited liability partnership, trust or any other form of legal entity recognized under the laws of the State of Maine.

Structure: Anything constructed or erected, the use of which requires a location on the ground or attachment to something located on the ground, including, but not limited to, buildings and mobile homes.

Utility Structure: A structure located on a mobile home lot which is designated and used for the storage and use of personal property of the mobile home occupants.

1.7. Conversion of Mobile Home Park. No individual mobile home lot in a mobile home park may be sold or conveyed, unless said lot meets all of the minimum requirements for a lot in the zoning district in which it is located.

1.8. Administration. It shall be the responsibility of the Code Enforcement Officer to approve, approve conditionally, or disapprove mobile home park licenses, to issue certificates of compliance where warranted, to enforce the provisions of this Ordinance, and to carry out the inspections required by this Ordinance.

1.9. Transition Provisions. All mobile home parks that had a mobile home park license under the Zoning Ordinance as of April 30, 2004 may continue to operate under said license. Provided, however, that any such park and the mobile homes contained therein shall be governed by the provisions of this Ordinance. The owner or operator of a mobile home park shall apply for a license under this Ordinance by not later than April 1, 2005, and the Park shall be licensed under this Ordinance by not later than August 1, 2005. Failure to make application within the time specified shall constitute a violation of this Ordinance. In addition, the continued operation or maintenance of a mobile home park without a license and/or in violation of the provisions of this Ordinance after August 1, 2005 shall constitute a violation of

this Ordinance. Any non-certified mobile home located in a mobile home park on the date of adoption of this Ordinance shall be brought into compliance with the requirements of Article 8 by not later than August 1, 2005.

1.10. Separability. In the event that any provision of this Ordinance is declared to be invalid by a court of competent jurisdiction, such action shall not be deemed to affect the validity of any other provision of this Ordinance.

ARTICLE 2 ANNUAL MOBILE HOME PARK LICENSE REQUIRED.

2.1. No person shall establish, operate, or maintain a mobile home park in the Town of Hampden without first obtaining an annual license issued in conformity with the provisions of this Ordinance.

2.2. The Code Enforcement Officer shall be responsible for the review of license applications, and shall approve, approve with conditions, or deny any license application. The applicant has the burden to demonstrate that the application complies with the provisions of this Ordinance, as well as all applicable laws, ordinances, statutes, or regulations.

2.3. Each license shall expire on the first day of August next following the date of issuance. Applications for license renewal shall be submitted no later than the first day of June in order to be acted upon by the first day of August.

2.4. The Code Enforcement Officer is hereby authorized and directed to make inspections of mobile home parks and the mobile homes located therein to determine the condition of the parks and mobile homes in order to safeguard the health and safety of the occupants of mobile home parks. The Code Enforcement Officer shall inspect ~~each mobile home in the park~~ and if necessary individual mobile homes within the park as well as the park itself prior to making a decision on a license application. The Code Enforcement Officer, or a duly authorized representative, shall have the authority to enter upon any private or public property at reasonable times for the purpose of inspecting and investigating conditions relating to the administration or enforcement of this Ordinance.

2.5. A license application shall be in writing, and shall contain the following:

1. Name, address, and telephone number of the applicant. If the applicant is not the mobile home Park Owner, the applicant must also provide the name and address of the Park Owner, as well as the legal relationship of the applicant to the Park Owner and documentation evidencing the applicant's legal authority to operate or maintain the mobile home park.
2. A register containing the record of all mobile home owners and occupants located within the park. The register shall contain the following information:
 1. The name of the owner of each mobile home in the park.
 2. The manufacturer's name, model number, year, and serial number of each mobile home.
 3. The lot location by number of each mobile home.
 4. If not owner-occupied, the names of the occupants of each mobile home.

5. The Park Owner shall keep the register up to date, and available for inspection at all times by law enforcement officers, emergency services personnel, code enforcement officials, and other officials whose duties necessitate acquisition of the information contained in the register.
 3. A mobile home park plan, prepared and / or certified by a professional land surveyor, drawn at a scale of not less than one inch equals 40 feet, depicting the boundaries of the park, the streets within the park, the common areas within the park, the mobile home lots within the park, and the location of each mobile home within the park. For emergency purposes, the lot numbering required by Article 3 shall be shown on the plan.
 4. The name of the mobile home park.
 5. The license application shall also be accompanied by the application fee established by the Hampden Fees Ordinance.
 6. A park management plan, including a 24 hour contact person, rules of the park, schedule for park maintenance, trash removal, and road maintenance for the park.
- 2.6. The Code Enforcement Officer shall issue a written decision on the application for a mobile home park license. In order to grant a license, the Code Enforcement Officer must find the following:
1. That the mobile home park is in compliance with all applicable laws, ordinances, regulations, and has received all necessary approvals from the Town of Hampden and the State of Maine.
 2. ~~That the mobile home park, and all of the mobile homes and mobile home lots located therein, are in compliance with all of the requirements of this Ordinance, including the safety standards set forth in Article 8. Deleted~~
 3. ~~For renewal licenses,~~ That the Park Owner has complied with the requirements of this Ordinance during the term of the prior license.
- 2.7. The Code Enforcement Officer may issue a conditional license if the Park Owner enters into a written agreement with the Town that contains a detailed schedule of compliance setting forth the specific improvements to the park, mobile home lots, or mobile homes that the Park Owner shall make during the term of the license. If the Park Owner fails to comply with the provisions of said agreement, said noncompliance shall be the grounds for revocation, or non-renewal, of the license.
- 2.8. The Code Enforcement Officer, after notice and a hearing on the matter, may revoke any license to establish, maintain or operate a mobile home park upon making a finding that the park is not being operated or maintained in accordance with the provisions of this Ordinance, or any other applicable law or ordinance.

ARTICLE 3 MOBILE HOME LOT IDENTIFICATION.

- 3.1. Each mobile home lot shall have a number supplied by the Park Owner, and the lots shall be numbered in an orderly, consecutive fashion. Even numbers shall be on one side of the street and odd numbers shall be on the opposite side of the street.
- 3.2. Each mobile home shall be numbered in a manner consistent with the number assigned to the lot.

3.3. The mobile home lot number shall be at least three inches high, and the Park Owner shall be responsible for the placement and maintenance of the numbers on each mobile home in a prominent place so that they may be readily observable by emergency services personnel.

3.4. The Park Owner shall be responsible for the placement and maintenance of the lot numbers on the electrical service (i.e., meter junction box) for each mobile home.

ARTICLE 4 MOBILE HOME PARK STREET IDENTIFICATION.

4.1. The Park Owner shall cooperate with the Code Enforcement Officer to establish names for streets within the mobile home park. Said street names shall be substantially different than existing street names within the Town of Hampden so as not to be confused in sound or spelling. In general said streets shall have names not numbers or letters.

4.2. The Park Owner shall erect, and maintain, street name signs at all street intersections, which signs shall contain lettering that is reflectorized.

ARTICLE 5 OBLIGATIONS OF PARK OWNERS.

5.1. The Park Owner shall provide the occupants of the mobile home park with a copy of this Ordinance, and inform the occupants of their duties and responsibilities under this Ordinance.

5.2. The Park Owner shall operate the mobile home park, or cause the same to be operated, in compliance with this Ordinance, and shall provide adequate supervision to maintain the park, its facilities, improvements, and equipment in good repair and in a clean and sanitary condition, as well as in compliance with all state and local laws, regulations, or ordinances.

5.3. The Park Owner shall maintain all streets, roadways and driveways in the mobile home park in good repair, and shall keep the same clear of snow, ice, standing water, and debris. In addition, the streets and roadways in the mobile home park shall be constructed and maintained so as to comply with the "Fire Lane" requirements of the Town of Hampden Fire Prevention Code.

5.4. The Park Owner shall maintain the mobile home park in a clean, orderly, safe and sanitary condition at all times.

5.5. The Park Owner shall remove any abandoned, burned, dilapidated, or abandoned mobile home from the mobile home park within ten business days of a notice from the Code Enforcement Officer.

5.6. The Park Owner shall not permit the presence or any accumulation of any (1) abandoned, unregistered or un-inspected motor vehicles, or parts thereof, or (2) discarded, worn-out or junked plumbing, heating supplies, electronic or industrial equipment; household appliances; furniture; discarded, scrap or junked lumber; old or scrap copper, brass, rope, rags, batteries, paper trash, rubber debris, waste or scrap iron, steel or other scrap ferrous or nonferrous material, or other solid waste or debris in the mobile home park, whether on the streets or other common areas under the control of the Park Owner or on the individual mobile home lots.

5.7. The Park Owner shall be responsible for the proper placement of each mobile home on its mobile home stand, which includes securing its stability and installing all utility connections. Owner shall also be responsible for the disconnection of all utilities prior to the departure of a mobile home from the park.

5.8. The Park Owner shall conspicuously post a copy of the license in Park Owner's office or on the premises of the mobile home park at all times.

5.9. The Park Owner shall notify the Code Enforcement Officer and Tax Assessor, in writing, of the arrival or impending departure of any mobile home or any change of ownership that occurs within the park.

5.10. The Park Owner shall make adequate provision for the storage, collection, and lawful disposal of all refuse from the mobile home park, and shall take adequate measures to prevent the creation of health hazards, rodent harborage, insect breeding areas, accident hazards, or air, water, or ground pollution. All refuse and garbage shall be bagged in plastic garbage bags by the homeowner or occupant for storage in fully and tightly enclosed, watertight, rodent-proof containers, which shall be provided by Owner in sufficient number and capacity to prevent any refuse or garbage from overflowing. Satisfactory container racks or holders shall be provided by the Owner and shall be located not more than 150 feet from any mobile home lot, or the Park Owner shall cooperate with the Code Enforcement Officer to establish mutually agreed upon locations.

5.11. The Park Owner shall bring all nonconforming non-certified mobile homes into compliance with the safety standards of Article 8. The Code Enforcement Officer may, as part of a conditional license, enter into a schedule of compliance with the Owner.

5.12. The Park Owner shall provide adequate supervision to ensure that the mobile home park, mobile home lot, mobile homes, and the owners or occupants of mobile homes comply with the provisions of this Ordinance. Owner shall include provisions in rental agreements requiring that individual owners or occupants of mobile homes shall comply with the provisions of this Ordinance, and Owner shall be obligated to pursue legal remedies for any breach of those requirements.

5.13. The Park Owner shall cooperate fully with the Code Enforcement Officer in the administration and enforcement of this Ordinance, including providing assistance in gaining access to mobile homes for the required inspections.

5.14. The Park Owner shall not assign or transfer the license without the prior approval of the Code Enforcement Officer. Any assignment or transfer shall be subject to the condition that the transferee agree in writing to abide by the terms and conditions of the license and this Ordinance.

5.15. The owner(s) of the land on which the mobile home park is located shall be ultimately responsible for compliance with this Ordinance, and shall remain responsible therefor regardless of the fact that this Ordinance may also place certain responsibilities on the license holder, or mobile home owners and/or occupants. This shall be so regardless of any agreements between the owners of the land and the license holder or owner/occupants of mobile homes as to which parties shall assume such responsibility.

ARTICLE 6 OBLIGATIONS OF MOBILE HOME OWNERS OR OCCUPANTS.

6.1. It shall be the duty of the owners or occupants of mobile homes in a mobile home park to give the Code Enforcement Officer access to the mobile homes at reasonable times for the purpose of conducting an inspection thereof to determine satisfactory compliance with the requirements of this Ordinance.

6.2. The owners or occupants of mobile homes in a mobile home park shall comply with all applicable requirements of this Ordinance, and shall maintain his/her mobile home, mobile home lot, and any facilities, improvements, or equipment, in good repair and in a clean and sanitary condition. The home

owner or occupant shall not cause or permit the presence or accumulation of the items specified in Article 5.6 on his/her mobile home lot, or at any other location within the mobile home park.

6.3. No home owner or occupant shall allow animals in his/her custody to run at large, or commit any nuisance, within the mobile home park.

6.4. No home owner or occupant shall permit his/her mobile home to be occupied by a greater number of persons than that for which it was designed.

6.5. The space directly beneath each mobile home shall be kept clean and free from refuse, or other combustible materials.

6.6. No home owner or occupant shall permit the parking of vehicles or the storage of personal property so as to interfere with access to the lots or mobile homes in the mobile home park by other owners or occupants, or especially with access by emergency vehicles or personnel.

6.7. No home owner or occupant shall locate or use a utility structure on his/her lot unless it is located no closer than 10 feet to any mobile home or other utility structure, and is made of noncombustible materials. In addition, said structure shall not exceed 150 square feet in area and 10 feet in height.

6.8. No home owner or occupant shall dispose of any garbage or refuse except by first bagging the garbage or refuse into a plastic garbage bag and the placing them into provided facilities in a clean and sanitary manner.

6.9. The individual owner of a non-certified mobile home shall be responsible for bringing the mobile home into compliance with the safety standards set forth in Article 8. The Code Enforcement Officer is authorized to enter into a schedule of compliance with such a home owner.

ARTICLE 7

RESTRICTIONS ON THE SALE, LEASE, TRANSFER, OCCUPANCY OR LOCATION OF MOBILE HOMES IN A MOBILE HOME PARK.

7.1. No person may sell, transfer, or otherwise convey a mobile home in a mobile home park without a prior written determination from the Code Enforcement Officer stating that: (1) the mobile home is a certified mobile home that is in a good state of repair and is in compliance with all applicable codes, ordinances, laws or regulations or (2) is a non-certified mobile home that is in a good state of repair and is in compliance with all applicable codes, ordinances, laws or regulations, including the requirements of Article 8 of this Ordinance. The provisions hereof shall not apply to a mobile home that is being removed from the mobile home park.

7.2. No person shall locate, move from one mobile home lot to another mobile home lot, or replace a mobile home in a mobile home park without a prior written determination from the Code Enforcement Officer stating that: (1) the mobile home is a certified mobile home that is in a good state of repair and is in compliance with all applicable codes, ordinances, laws or regulations or (2) is a non-certified mobile home that is in a good state of repair and is in compliance with all applicable codes, ordinances, laws or regulations, including the requirements of Article 8 of this Ordinance.

7.3. No person shall permit or allow the occupancy of a mobile home in a mobile home park for dwelling purposes without a prior Certificate of Compliance from the Code Enforcement Officer stating that: (1) the mobile home is a certified mobile home that is in a good state of repair and is in compliance with all applicable codes, ordinances, laws or regulations or (2) is a non-certified mobile home that is in a good

state of repair and is in compliance with all applicable codes, ordinances, laws or regulations, including the requirements of Article 8 of this Ordinance, and that the mobile home is properly placed on a mobile home stand and properly connected to water, sewer, and electrical utilities. The Park Owner shall be responsible for the proper installation of all utility connections, which shall be accomplished by duly qualified and licensed persons.

7.4. The placement of a mobile home that is not (1) a certified mobile home that is in a good state of repair and is in compliance with all applicable codes, ordinances, laws or regulations or (2) a non-certified mobile home that is in a good state of repair and is in compliance with all applicable codes, ordinances, laws, or regulations, including the requirements of Article 8 of this Ordinance in or near the mobile home park is strictly prohibited. The area of the mobile home park and any of Park Owner's land in the vicinity shall not be used as a staging area for the rehabilitation of non-certified mobile homes. The foregoing shall not preclude the rehabilitation of mobile homes that existed in a park as of the date of adoption of this Ordinance.

ARTICLE 8 SAFETY STANDARDS.

8.1. The purpose of this Article is to establish minimum standards to attain a condition of safety that will allow a non-certified mobile home to perform in a manner that will greatly reduce hazards that present an imminent and unreasonable risk of death or serious personal injury.

8.2. These standards shall apply to all non-certified mobile homes located in mobile home parks. These standards shall also apply to any non-certified mobile homes being brought into parks.

8.3. Standards.

8.3.1. Light and Ventilation

1. Each habitable room shall be provided with exterior windows and/or doors having a total glazed area of not less than 8 percent of the gross floor area.
2. Each bathroom and toilet compartment shall be provided with artificial light and, in addition, be provided with external windows or doors having not less than 1½ square feet of fully operable glazed area, except where a mechanical ventilation system is provided capable of producing a change of air every 12 minutes. Any mechanical ventilation system shall exhaust directly to the outside of the home.

8.3.2. **Ceiling Height.** Every habitable room shall have a minimum ceiling height of 6 feet and 6 inches.

8.3.3. Exit Facilities – Exterior Doors

1. Homes shall have a minimum of two exterior doors located remote from each other.
2. Required egress doors shall not be located where a lockable interior door must be used in order to exit.
3. Doors may not be less than 12 feet from each other as measured in any straight line direction regardless of the length of the travel between doors.

4. One of the required exit doors must be accessible from the doorway of each bedroom without traveling more than 35 feet.
5. All exterior swinging doors in mobile homes shall provide a minimum door leaf dimension of 28 inches wide by 74 inches high. Notwithstanding this regulation replacement swinging doors that were installed prior to adoption of this ordinance measuring at least 28 inches in width by 72 inches in height shall not require replacement. All exterior sliding glass doors shall provide a clear opening of at least 28 inches wide by 72 inches high. Locks shall not require the use of a key for operation from the inside.

8.3.4. Exit Facilities – Egress Windows and Devices. Every room designed expressly for sleeping purposes, unless it has an exterior exit door, shall have at least one outside window operable from the inside without the use of tools and providing a clear opening of not less than 20 inches in width, 24 inches in height and 5.7 square feet in area. The bottom of the opening shall not be more than 44 inches off the floor.

1. *Exception.* In lieu of this regulation, an approved automatic sprinkler system may be installed in accordance with NFPA 13D, *Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Manufactured Homes*.

8.3.5. Interior – Doors. Each interior door, when provided with a privacy lock, shall have a privacy lock that has an emergency release on the outside to permit entry when the lock has been locked by a locking knob, lever, button or other locking devices on the inside.

8.3.6. Room Requirements

1. Every home shall have sufficient space and functional arrangements to accommodate the normal activities of living in a manufactured home.
2. Every home shall have at least one common area with no less than 150 square feet of gross floor area.
3. All bedrooms shall have at least 50 square feet of floor area.
4. Bedrooms designed for two or more people shall have 70 square feet of floor area plus 50 square feet for each person in excess of two.
5. ~~Every room designed for sleeping purposes shall have accessible clothes hanging space with a minimum inside depth of 22 inches and shall be equipped with rod and shelf. Deleted.~~
6. Bedrooms shall have an operable door with a latch to separate the room from the common area.
7. Each toilet compartment shall have a minimum of 21 inches of clear space in front of each toilet.
8. Hallways shall have a minimum horizontal dimension of 28 inches measured from interior finished surface to the opposite finished surface. Minor protrusions by doorknobs, trim, smoke detectors or light fixtures are permitted.

8.3.7. Fire Detection Equipment All homes, regardless of the date of manufacture, shall meet the following requirements. At least one smoke detector (which may be a single station alarm device) shall be installed in the home in the following locations:

1. A smoke detector shall be installed on any wall in the hallway or space communicating with each bedroom area between the living area and the first bedroom door unless a door separates the living area from that bedroom area, in which case the detector shall be installed on the living area side as close to the door as practical. Homes having bedroom areas separated by any one or combination of communication areas such as kitchen, dining room, living room, or family room (but not a bathroom or utility room) shall have at least one detector protecting each bedroom area.
2. When located in hallways, the detector shall be between the return air intake and the living area.
3. The smoke detector shall not be placed in a location which impairs its effectiveness.
4. Smoke detectors shall be labeled as conforming with the requirements of Underwriters Laboratory Standards No. 217, Third Edition, 1985, as amended through October 8, 1985, for single and multiple station smoke detectors.
5. Each smoke detector shall be installed in accordance with its listing on a wall or ceiling. If installed on a wall, the top of the detector shall be located 4 inches to 12 inches below the ceiling. However, when a detector is mounted on an interior wall below a sloping ceiling, it shall be located 4 inches to 12 inches below the intersection on the connecting exterior wall and the sloping ceiling (cathedral ceiling). The required detector(s) shall be attached to an electrical outlet box and the detector connector by permanent wiring method into a general electrical circuit. There shall be no switches in the circuit to the detector between the overcurrent protection device protecting the branch circuit and the detector. The smoke detector shall not be placed on any circuit protected by a ground fault circuit interrupter.

8.3.8. Cooking Unit Separation. No burner of a surface cooking unit shall be closer than 12 horizontal inches to a window or an exterior door.

8.3.9. Kitchen Cabinet Protectors All homes, regardless of the date of manufacture, shall meet the following requirements.

1. The bottom and sides of combustible kitchen cabinets over cooking ranges to a horizontal distance of 6 inches from the outside edge of the cooking range shall be protected with at least 5/16 inch thick gypsum board or equivalent limited combustible material. One inch nominal framing members and trim are exempted from this requirement. The cabinet area over the cooking range or cooktops shall be protected by a metal hood with not less than a 3 inch eyebrow projecting horizontally from the front cabinet face. The 5/16 inch thick gypsum board or equivalent material which is above the top of the hood may be supported by the hood. A 3/8 inch enclosed air space shall be provided between the bottom surface of the cabinet and the gypsum board or equivalent material. The hood shall be at least as wide as the cooking range.
2. The metal hood will not be required if there is an oven installed between the cabinet and the range.
3. Ranges shall have a vertical clearance above the cooking top of not less than 24 inches to the bottom of combustible cabinets.

8.3.10. Carpeting. Carpeting shall not be used in a space or compartment designed to contain only a furnace and/or water heater. Carpeting may be used in other areas where a furnace or water heater is installed, provided that it is not located under the furnace or water heater.

8.3.11. Roof Loads. Prior to construction of an addition or alteration of the roof of a mobile home design plans bearing the seal of a State of Maine registered professional engineer shall be submitted. Said plans shall demonstrate that the roof design can withstand any snow loads or wind uplifts that may occur. Building Inspector shall inspect the roof framing and supporting members prior to sheathing.

8.3.12. Floors. All floors shall be of a solid construction to protect users of the mobile home from the hazard of an unsafe floor.

8.3.13. Exterior Coverings. Exterior coverings shall be of moisture and weather resistant materials to resist wind, snow, sleet, or rain.

8.3.14. Deleted

8.3.15. Plumbing Systems. A person holding a master license issued by the State of Maine Plumbers Examining Board shall inspect and certify that the plumbing system is in conformance with the requirements of the Maine State Plumbing Code, is safe and verify that the following conditions are met.

1. The plumbing is of a durable material, free from defective workmanship that would cause a safety hazard.
2. Water closets are adjusted to use a minimum quantity of water consistent with proper performance and cleaning.
3. All plumbing, fixtures, drains, appurtenances, and appliances designed or used to receive or discharge liquid waste or sewage are connected to the drain system in a manner that is consistent with the State Plumbing Code.
4. All piping and fixtures subject to freezing temperatures shall be insulated or protected to prevent freezing under normal occupancy. To prevent freezing, a modern technological designed heat cable should be used.
5. All dishwashing machines shall not be directly connected to any waste piping, but shall discharge its waste through a fixed air gap installed above the machine.
6. Clothes washing machines shall drain either into a properly vented trap, into a laundry tub tailpiece with watertight connections, into an open standpipe receptor, or over the rim of a laundry tub.
7. Toilets shall be designed and manufactured according to approved or listed standards and shall be equipped with a water flushing device capable of adequately flushing and cleaning the bowl.
8. Each shower stall shall be provided with an approved watertight receptor with sides and back at least 1 inch above the finished dam or threshold.
9. Water supply plumbing systems shall be sized to provide an adequate amount of water to each plumbing fixture at a flow rate sufficient to keep the fixture in a clean and sanitary condition without any danger of backflow or siphonage.

10. Each home shall be equipped with a kitchen sink and bathtub and/or shower and be provided with a hot water supply system including a listed water heater.
11. No part of a water system shall be connected to any drainage or vent piping.
12. All new plumbing after the effective date of these standards shall be lead free with solders and flux containing not more than 0.2 percent lead and pipes and pipe fittings containing not more than 8.0 percent lead.

8.3.16. Heating and Fuel Burning Systems

1. A person holding a master license issued by the State of Maine Oil and Solid Fuel Technicians, Board of Licensure and/or a person holding a master license issued by the State of Maine Propane and Natural Gas Technicians, Board of Licensure shall inspect and certify that the heating and fuel system is in a safe condition and meets all ~~current~~ State of Maine laws and rules as adopted by said boards.
2. Heat-producing appliances and vents, roof jacks and chimneys necessary for installation in mobile homes shall be listed or certified by a nationally recognized testing agency for use in mobile homes.

8.3.17. Electrical System. A person holding a master license issued by the State of Maine Electricians Examining Board shall inspect and certify that the electrical system that is accessible, including the wiring of the smoke detector, is safe and meets the National Electrical Code in effect at the time the mobile home was constructed.

1. Homes wired with aluminum conductors shall meet the current Underwriter Laboratory (UL) requirements for connecting to branch circuits of 30 amps or less. (Note: The intent of this is not to require the mobile home to be rewired, but only to require that U. L. Listed conductors be affixed to receptacle switches and light fixtures. There are several methods of doing this. The most preferred is the "pig tail" method.)

8.3.18. Minimum Separation Requirements. No mobile home shall be located closer than twenty (20) feet from another mobile home or ten (10) feet from a utility structure. Notwithstanding this regulation mobile homes placed end to end shall ensure a minimum separation of ten (10) feet. Any mobile home that was not in compliance with the prescribed separation requirements as of the date of adoption of this Ordinance may remain at that location, but any replacement for such a mobile home shall meet the separation requirements to the greatest practical extent as determined by the Code Enforcement Officer, and in no event shall the replacement mobile home be located so as to make the separation distances more nonconforming. Provided, however, that the replacement of a non-certified mobile home with a certified mobile home shall be permitted if the following conditions are met: (1) the separation requirements are met to the greatest practical extent as determined by the Code Enforcement Officer, (2) the replacement mobile home is no wider than fourteen (14) ~~twelve (12)~~ feet, (3) ~~all mobile homes adjacent to the replacement mobile home (side to side) are certified mobile homes- Deleted,~~ (4) the replacement mobile home shall be located no less than fifteen (15) feet (side to side) and ten (10) feet (end to end) from another mobile home or ten (10) feet from a utility structure, and (5) the area necessary to comply with this reduced separation provision is not created by moving or replacing an existing mobile home so as to make it more nonconforming with the requirements of Section 4.13.3.3.1. of the Zoning Ordinance, the foregoing reduced separation provision shall prevail. For purposes of this section, any addition to a mobile home, including

carports, decks, porches, living spaces, sunrooms, etc. (but excluding steps) shall be considered to be part of the mobile home, and shall be subject to the minimum separation requirements.

ARTICLE 9 VIOLATIONS AND ENFORCEMENT.

9.1. Any condition existing in violation of this Ordinance is deemed to be a nuisance.

9.2. The Code Enforcement Officer shall provide written notice of any violation to the Park Owner and/or operator of the mobile home park. In addition, if the violation involves a violation by the home owner or occupant of a mobile home, written notice shall also be given to the home owner or occupant. The notice shall be mailed to the last known address according to records maintained by the Town. The notice shall describe the violations, and shall state the corrective action necessary. The giving of notice hereunder shall not be a prerequisite to the commencement of an enforcement action.

9.3. The Code Enforcement Officer, with the advice and consent of the Town Manager, is authorized to institute, or cause to be instituted by the Town Attorney, in the name of the Town of Hampden, any and all actions, legal or equitable, that may be appropriate or necessary for the enforcement of this Ordinance.

9.4. Any person, firm or corporation, being the owner or operator of, or having control or use of any mobile home, mobile home lot or mobile home park, who violates any provision of this Ordinance shall be subject to the penalties set forth in 30-A M.R.S.A. § 4452. Each violation, and each day of each violation, shall constitute a separate offense.

ARTICLE 10

APPEALS.

Amended 06-19-2006

10.1. Appeals. All appeals shall be subject to the provisions of the Town of Hampden Board of Appeals Ordinance including but not limited to filing deadlines, application requirements, fees, appeal procedures, decisions of the Board of Appeals and subsequent appeals to Superior Court. Any appeal from the Code Enforcement Officer's approval, approval with conditions, or denial of a license application, or the revocation of a license, shall be made to the Board of Appeals within 30 days of the rendering of such a decision. *Amended 06-19-2006*

10.2 Appellate Review The review by the Board of Appeals shall be limited to an appellate review of the Code Enforcement Officer's decision, and said decision may be overturned only if the officer committed an error of law, abused his/her discretion, or made findings that are not supported by substantial evidence on the record. No appeal may be taken from a violation determination or enforcement action taken by the Code Enforcement Officer, except to the extent that said determination or action forms the basis of a revocation of a license by the Code Enforcement Officer. *Amended 06-19-2006*

10.3 Basis of the Appeal. The appellant must demonstrate that the decision of the Code Enforcement Officer: (1) committed an error of law, (2) abused his/her discretion, or (3) made findings that are not supported by substantial evidence on the record. *Amended 06-19-2006*

10.4 Modification or Reversal of the Decision. The Board of Appeals may modify or reverse the decision of the Code Enforcement Officer if they determine that he: (1) committed an error of law, (2) abused his/her discretion, or (3) made findings that are not supported by substantial evidence on the record. *Amended 06-19-2006*

C-4-a

Date: December 11, 2008

TO: Hampden Town Council
Community Services Community

From: Hampden Tree Board,
Jim Feverston, Lance Case, Chris Packard, Phil Stack

RE: PURCHASE REQUEST ---TREE CITY USA SIGNAGE

Recently the Tree Board reviewed Tree City USA signage needs for the Town of Hampden. A goal of the Tree board is to have signage honoring Hampden as a Tree City USA community, placed at each of the 11 roadway entrances into Hampden.

Three signs were provided courtesy of The Arbor Day Foundation and Project Canopy. Two have been erected and another is pending installation.

The Tree board requests the purchase of six additional signs for placement in May 2009, at a cost of \$394.65.

The remaining signs will be requested next year.

BANGOR TARGET AREA ⊕ ⊕ ⊕ ⊕ ⊕ ⊕ ⊕
⊕ ⊕ ⊕ ⊕ ⊕ **DEVELOPMENT CORPORATION**

40 Harlow St. Bangor, Me 04401 (207) 947-7948 Fax (207) 942-3548 sblitz@emdc.org

December 3, 2008

C-4-b

Susan Lessard
Town Manager
Town of Hampden
106 Western Avenue
Hampden, ME 04444

Dear Sue:

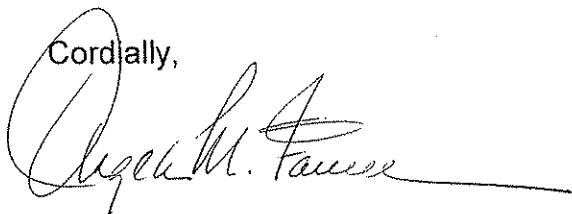
It is time again for Bangor Target Area Development Corporation to review its membership roster; remind each member of their status as a member/incorporator; and confirm that you will continue to be the designated member(s) from the Town of Hampden.

Please advise us accordingly by calling Rhonda Amsden at EMDC at 942-6389 or by sending an e-mail to ramsden@emdc.org.

As you know, the responsibility of membership is twofold; attending semi-annual meetings and a willingness to consider serving on the Board of Directors if asked. An easy but important commitment and an excellent opportunity to bring the voice of your community, your industry or your profession to the table of one of the region's most active and well-funded economic development organizations.

A member from the Town of Hampden as a development active community in the greater Bangor area is important to Target's mission and success.

Cordially,



Angela Farrell
Interim President
Bangor Target Area Development Corporation